

4/29/10

Grand Jury Report 2010-Jails-01

Site visits, including: Sheriff's Office, Coroner's Office, Police Depts., Juvenile Probation and government operated animal shelters.

Responses Required:

Pursuant to California Penal Code Sections 933 to 933.05, response to the Findings and Recommendations of this report shall be provided as follows:

- A. Sheriff's Dept. to respond to items Recommendations 1, 2 and 4;
- B. Board of Supervisors to respond to Recommendations 1 through 5.

Background:

Penal Code section 919(b) provides that the Grand Jury "shall inquire into the conditions and management of the public prisons within the county." To fulfill this responsibility, the Grand Jury assigned its Jails Committee the task of visiting, investigating, and evaluating the physical condition and the management of each jail and holding facility located within the county. Each was visited at least once by no fewer than two members of the Committee. The Committee reported its observations, findings, and recommendations to the full Grand Jury. The Grand Jury now issues this annual report on the conditions and management of those facilities. The following is a summary of the site visits:

Sheriff's Office sites:

- 1. Main Jail
- 2. Evidence room
- 3. Evidence yard (Boat shed)
- 4. Animal shelter
- 5. McKinleyville substation
- 6. Hoopa substation
- 7. Sheriff's Work Alternative Program (SWAP yard)
- 8. Sheriff's agriculture farm
- 9. Garberville substation and evidence garage

City Police Dept. sites:

- 1. Eureka P.D.
- 2. Arcata P.D.
- 3. Trinidad P.D.
- 4. Fortuna P.D.
- 5. Fortuna animal shelter

6. Ferndale P.D.
7. Rio Dell P.D.

Other Humboldt County sites:

1. Juvenile Hall
2. NorCal Regional Facility
3. Coroner-Public Administrator facility

State of California sites within Humboldt County:

1. Eel River Conservation Camp
2. High Rock Conservation Camp

Sites or Depts. not contacted:

1. Humboldt State University P.D.
2. Hoopa Valley Tribal Police
3. Office of Emergency Services, Radio Repeater sites
4. Adult Probation Dept.
5. Licensed Juvenile Residential Care facilities: Juveniles from Humboldt County are sent to facilities in Redding, Santa Rosa, Sacramento.
6. Blue Lake P.D. (Dept. was disbanded; patrol was assumed by Sheriff's Dept.)

Report:

The Grand Jury found most of the facilities to be clean, well-maintained, in good condition, well-managed and adequately staffed. The Grand Jury commends the pride, professionalism, and courtesy exhibited by all the various law enforcement agencies operating within the county, including their management, sworn officers, civilian employees.

Findings:

The Grand Jury determined the following facilities to be sub-standard or otherwise in need of remediation:

1. Hoopa substation: The substation building is owned by the Hoopa Tribe and occupancy is shared by the Tribal Police and the Sheriff's patrol deputies, in separate offices within the building. The building includes a small jail with three cells. The office area used by the deputies was orderly and adequate.

The Grand Jury found the jail to be unattended, unoccupied, unclean, and the lights were not working. We learned that the fire alarm system has been out of order for years. Obviously, the owner has not taken responsibility for upkeep, and building

maintenance and repair are not among the duties of deputy sheriffs. We were told that the jail is rarely used, and then only for very short periods of time; also, that the deputies wouldn't miss it if it were unavailable. Previous Grand Juries have pointed out deficiencies which resulted in the installation of new stainless steel toilets inside the cells, incongruous amid the filth and darkness.

The computer data link, which connects the Sheriff's portion of the building to the downtown Eureka county data center, is slow and undependable, due to obsolete technology. This delays officers trying to submit reports or retrieve data electronically. The Tribal office has a higher speed data link, but the two departments must remain separate to protect sensitive records.

Transportation of prisoners from distant Hoopa to the main jail in Eureka remains a problem, which previous Grand Juries have reported. At times when there is only one deputy on duty, it means leaving the beat unprotected during the round trip. There is also the issue of officer safety, during those periods when only one deputy is on duty, should he need help. There is presently no arrangement to compensate an off-duty deputy for "on call" availability, to cover either a transportation or backup situation.

2. Garberville substation: The Garberville substation is an old cinder-block building. Like some other county buildings, it suffers from inadequate maintenance. It was built as a tiny residence, converted to an office. Public access is poor. The roof leaks. Located at the end of a dead end street, vehicle access is limited. The holding cells within do not meet currently accepted standards and are not used anymore. Because of the distance from Eureka, transportation of prisoners and getting backup help to officers in need, are problematic.

An opportunity currently exists that may be attractive to the Sheriff's Dept.: The nearby Redway Volunteer Fire Dept. owns a conveniently located property, and is in the planning stage for constructing a building to serve the needs of public safety. The Fire Dept. has offered to include the Sheriff's Dept. in the design of a modern building to possibly be shared by both agencies.

The Grand Jury commends the Sheriff's Department this year, for establishing an improved level of worker safety standards, and supplying the SWAP yard with necessary Personal Protective Equipment.

3. Juvenile Hall: The building has insufficient capacity for the number of juvenile arrests made in Humboldt County. Presently they have 26 beds. Probation officers

use a Risk Needs Analysis and their professional judgment, to minimize and manage the acceptance of juveniles into detention. Many local arresting agencies reported to the Grand Jury that they are frequently told that the Hall is filled to capacity and has no room to house an arrested juvenile.

The arresting agencies understand the limitation and although they might prefer to incarcerate the juvenile, they find a less desirable alternative. The result is a failure of the designed system. Because the Hall administrators see no possibility of improvement in this situation, such events are not even enumerated or reported. The management of the Hall has informed the Grand Jury that a 40 bed facility would be adequate for the county's present needs, allowing for some growth. Funds are the problem. The department applied for a state grant to enlarge the facility slightly to 30 beds, but regrettably was not awarded the grant. The Grand Jury commends the Juvenile Probation Dept. for performing so effectively despite severe budgetary constraints.

4. Coroner-Public Administrator: The Grand Jury toured the Coroner's office and laboratory and observed the following problems:

As reported by previous Grand Juries, the loading entrance, where human remains are received, is open to public view. Decency demands that the handling of human remains be done with due respect for the sensitivities of neighbors, passing motorists and pedestrian traffic.

A second, more serious problem exists at the loading entrance to the Morgue. The pavement between the street and the building is tilted sharply sideways, so that the single officer, unloading remains onto a gurney, is in a very awkward and unsafe situation. There have been regrettable accidents, thus far without employee injury.

Gas vapors and chemical smells associated with the presence of cadavers accumulate inside the poorly-ventilated offices, creating an unpleasant atmosphere and possible health hazard to employees.

The same products are currently being expelled through an inadequate outside ventilator which send the odors to the vicinity of open windows of the Mental Health facility (on the second floor of the same building), to the distress of the residents and staff there. The Grand Jury regards this as unacceptable.

There is a problem with the building that stands in the way of making any improvements. The building is not ADA-Certified. That is, it is not equipped to

satisfy the requirements of the Americans with Disabilities Act -- ramps, wheelchair access, and bathroom upgrades, for example. Bringing the entire building up to standards would be extremely expensive. A licensed contractor, if employed to make an upgrade, is required to report the non-compliance to the State, or risk losing his license. Therefore, upgrades are impossible, a Catch-22 that we hope some aggressive County intervention can solve.

One of the Coroner's vehicles is an older van, inadequate to the needs of the retrieval and transport of cadavers, on the many unimproved roads in Humboldt County that the office must regularly travel. There is a need for a second large four-wheel drive pickup, appropriately equipped.

Currently, post-mortem examinations are performed at this facility by a local physician-pathologist on a fee basis, as long as there is no crime is involved. Autopsies associated with criminal prosecutions must be done by a Certified Forensic Pathologist. These require either transportation of the cadaver to an out-of-county facility, or bringing a Certified Forensic expert here, either way incurring expenses in travel, and manpower. Our local physician-pathologist has offered to accomplish the pathologist certification, at county expense, estimated at \$20,000. This physician could then take over the forensic autopsy functions, freeing vehicles and staff for improved local response.

The Grand Jury commends the Coroner for advancing the professionalism and efficiency of the department by developing a rigorous Procedures Manual, by bringing all his sworn staff up to California Peace Officer certification, with mandated training, and by instituting a successful program of volunteer assistant pathologists, which relieves deputies for duty elsewhere. The staffing level is under a strain. The addition of one more deputy position would be a great help.

Proposed Residential Juvenile Drug Treatment Facility

The Grand Jury learned from law enforcement agencies and from the Juvenile Probation Dept., of the need for a Residential Juvenile Drug Treatment Facility located within the county.

In years gone by, the Humboldt County juvenile justice system had access to a local licensed residential juvenile drug treatment facility. Those privately owned facilities have since closed. Now, juveniles with the most serious drug and violence problems must be sent to facilities in other counties. This places a burden on the juvenile, his/her family and the probation officers who must travel monthly to visit. If we had out-patient substance abuse treatment available, that would at

least provide for treatment of lower-level needs. Nevertheless, in some cases, public safety requires residential placement with 24-hour staffing.

Recommendations:

1. **Hoopa:** That the Sheriff's Dept immediately discontinue deputies' use of the holding cells, and take steps to vacate the Hoopa substation ASAP in favor of an adequate office in Willow Creek, with public access and a high-speed secure data link. Holding cells, if any, must meet current state standards.
2. **Garberville:** That the Sheriff's Dept. plan to vacate the Garberville office ASAP, and explore the opportunity to participate in the planned Redway Fire public safety building. Holding cells, if any, must meet current state standards.
3. **Juvenile Hall:** That the Juvenile Probation Dept submit a detailed analysis that defines present and expected future housing needs, and that the Board of Supervisors resolve to make a priority of this this expansion or new construction.
4. **Residential Drug Treatment:** That interested parties within Humboldt County, including the Sheriff's Dept., gather to study and determine a way to establish and fund a juvenile residential drug treatment center, either as a licensed private agency or an extension of an existing county department. And, that the Board of Supervisors encourage and track this study and, if a feasible plan evolves, resolve to make it a priority.
5. **Coroner:** The facilities occupied by the Coroner are so deficient we feel it is urgent that the department move to adequately sized and equipped offices. This will also make available additional space for the adjoining Mental Health facility.

The Grand Jury believes that subjecting Coroner staff and the Mental Health residents and staff upstairs to the fumes associated with the storage of human remains, is objectionable. If the office cannot be quickly relocated, then immediate steps should be taken to improve indoor and outdoor ventilation.

The Coroner requires an additional truck, equipped to specification.

The Coroner as well as local law enforcement agencies will benefit by having a local fully-qualified forensic pathologist. The County should fund his training and certification and equip a modern laboratory.